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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING NOTICE:	BOARD OF HOME INSPECTORS
DATE AND TIME:	Wednesday, January 9, 2013 at 9:30 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, DE Cannon Building, Second-Floor Conference Room A
APPROVED:	May 8, 2013

MEMBERS PRESENT

Donald S. Pyle, Sr., Professional Member, Chair
Daniel C. Eichelberger, Professional Member
Tim Harriger, Professional Member
Joyce Edwards, Public Member

MEMBERS ABSENT

Dennis Theoharis, Public Member, Vice Chair

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Eileen Kelly, Deputy Attorney General
Bryan Smith, Deputy Attorney General
Amanda McAtee, Administrative Specialist II
Kay Warren, Deputy Director (9:45 a.m. – 10:40 a.m.)

PUBLIC PRESENT

Kristy Mast (entered at 9:45 a.m.)

CALL TO ORDER

Mr. Pyle called the meeting to order at 9:30 a.m.

REVIEW AND APPROVAL OF MEETING MINUTES

The Board reviewed the meeting minutes from the December 5, 2012 meeting. Mr. Harriger made a motion, seconded by Ms. Edwards, to approve the minutes. The motion carried unanimously.

UNFINISHED BUSINESS

Update on Statutory Issues

Ms. Kelly presented the Board with a copy of House Bill 182, Relating to the Licensure of Home Inspectors and the letter that was sent to Representative Bennett and Senator Peterson. Ms. Kelly stated that after the letter was sent, Representative Bennett and Senator Peterson quickly responded that they would both support the bill. Ms. Kelly drafted House Bill 182 and at Kay Warren's request had brought the Bill to the Board for approval.

The Board reviewed the draft of House Bill 182 and made the following amendments:

- Section 4108(8) needed to include the liability and errors and emissions insurance and the Rules and Regulations could specify the amount.
- Section 4108(d) removed the date of enactment which was previously listed as August 6, 2013.

- Amended Section 4108(d), the grandfather clause, to state “conducted not fewer than 250 home inspections in Delaware for compensation prior to the date of enactment **or** 5 years’ experience performing home inspections for the public.”

Mr. Pyle explained that the amendment to the grandfather clause was in the original letter that was sent to Representative Bennett and Senator Peterson. Mr. Eichelberger stated that the three month window for licensure under the grandfather clause would be enough time for existing home inspectors to submit documentation.

Mr. Harriger stated that he did not agree with the effective date of August 7, 2013 because August was a busy month in the profession of home inspecting.

Kay Warren stated that the effective date would not need an extension if the Bill passed quickly. The Bill had a sponsor in the House and Senate, so that was a great start. Ms. Warren suggested that the Board should leave the Bill’s timeline as written and see how quickly things moved with the Bill. The Bill could always be amended at a later date if it did not get introduced in January. Ms. Warren stated that once she received the final draft of the Bill she would forward it to Representative Bennett and Senator Peterson.

Ms. Kelly wanted to make sure the Bill synopsis was reviewed and approved by the Board. The Board reviewed the Bill synopsis and advised that the Bill revisions that were discussed should be added to the Bill synopsis.

The Board took a short recess at 10:08 a.m. to allow Ms. Kelly to make the changes discussed to the Bill and the Bill synopsis. The Board reconvened at 10:29 a.m.

Mr. Pyle stated that the Board reviewed the amendments Ms. Kelly made to the Bill and the Bill Synopsis. Mr. Pyle made a motion, seconded by Mr. Harriger, to submit the draft of the Bill and the Bill synopsis to Kay Warren to submit to the legislators. The motion carried unanimously.

Ms. Warren requested the Board discuss the best avenue for outreach to home inspector professionals regarding licensure. Mr. Pyle stated that there was an ASHI chapter in Delaware that a third of the home inspectors are a member of. Mr. Eichelberger stated that he had already posted on the ASHI website under the Delaware section.

Review Current Draft of Rules and Regulations from Ms. Kelly

Ms. Kelly presented the Board with a revised version of the Rules and Regulations draft. The Board reviewed the Rules and Regulations draft.

The Board agreed with the way Rule 3.3 was written regarding trainee applicants. Discussion regarding Rule 7.6 revealed that home inspectors do not currently always sign reports. Ms. McAtee stated that other professions have made it a requirement of licensure to maintain a stamp or seal. The Board resolved to investigate the issue further and make recommendations at a future meeting.

Ms. McAtee stated that it was the licensee’s responsibility to be familiar with the Board’s Rules and Regulations and perhaps that statement should be added to the Rules and Regulations. The Board agreed that it was a good statement to include and Ms. Kelly advised that it would be added to the Rules and Regulations.

After discussion, the late period to renew a license as stated in Rule 10.4 was changed from one year to six months. Rule 10.4 was revised to state that licensees must renew their lapsed license within six months or must reapply.

The Board recessed at 12:00 p.m. and reconvened at 12:57 p.m.

Ms. Kelly stated Rule 14.0 regarding continuing education had been revised with regards to the ride along information that was provided at the last meeting, which now appeared in Rule 14.3.5.3. No additional changes were made to continuing education requirements.

The Board reviewed Rule 15.0 Code of Ethics and no additional changes were made.

The Board reviewed Rule 16.0 and the following changes were made:

- Rule 16.6.1.6 Conductors, the word “visible” was inserted.
- Under Rule 16.6.2.3, presence of solid conductor aluminum branch circuit wiring, another subsection would need to be added to state, “Presence of visible knob and tube wiring.”
- Change Rule 16.6.2.5 wording from “wiring methods” to “type of wiring.”
- Change Rule 16.7.3.1.5 wording and remove the word “space” from “solar space heating systems.”
- Change Rule 16.7.1.1 wording from “Open readily openable access panels” to “Open readily accessible access panels.”
- Add under Rule 16.8.3 a section to state that the inspector is not required to run air conditioning systems when the outside temperature is below 60 degrees Fahrenheit.
- Add the word “vents” to Rule 16.11.2.2 Chimneys
- Add to Rule 16.11.3.1 that the home inspector is not required to inspect wood or pellet stoves
- Add the word “insects” to Rule 16.13.1.11 to read “wood destroying organisms/insects”

Ms. Kelly stated that she would make the suggested changes to the Rules and Regulations draft and add list of crimes. She would put the draft into notice form and after the Board approved the notice form she could submit it for publication in the Register of Regulations.

NEW BUSINESS - None

OTHER BUSINESS BEFORE THE BOARD (for discussion only) – None

PUBLIC COMMENT

Kristy Mast on behalf of Wes Mast asked if the Board had an established meeting schedule. Ms. McAtee stated that the Board had been tentatively scheduled to meet on the second Wednesday of each month. Meeting times, agendas, and minutes would always be posted on the Division of Professional Regulation’s website.

NEXT MEETING

The next Board meeting will be at **9:30 a.m. on Wednesday, February 13, 2013 in Conference Room B** located on the second floor of the Cannon Building at 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

There being no further business to discuss, Mr. Harriger made a motion, seconded by Ms. Edwards, to adjourn the meeting at 2:18 p.m. The motion carried unanimously.

Respectfully Submitted,



Amanda McAtee
Administrative Specialist II

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.